

**ASSEMBLY BILL**

**No. 24**

**Introduced by Assembly Member Negrete McLeod**

December 2, 2002

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An act to amend Section 115922 of the Health and Safety Code, relating to public safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 24, as introduced, Negrete McLeod. The Swimming Pool Safety Act.

(1) The Swimming Pool Safety Act requires, on and after January 1, 1998, that a new swimming pool at a private, single-family home for which a construction permit is issued be equipped with at least one of 4 specified safety features to prevent unintentional drowning, or other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the specified safety features.

This bill would require, beginning July 1, 2004, that any swimming pool that is manufactured or sold in this state for installation at, or for which a construction permit is issued for construction at, a private, single-family home, be equipped with an approved vibration or motion sensing alarm system that is activated whenever a body of a specified mass and weight falls into the pool. By increasing the enforcement duties of local public officials, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 115922 of the Health and Safety Code  
2 is amended to read:  
3 115922. ~~Commencing January 1, 1998, except~~ (a) Except as  
4 provided in Section 115925, whenever a construction permit is  
5 issued for construction of a new swimming pool at a private,  
6 single-family home it shall be equipped with at least one of the  
7 following safety features:  
8 ~~(a)–~~  
9 (1) The pool shall be isolated from access to a home by an  
10 enclosure that meets the requirements of Section 115923.  
11 ~~(b)–~~  
12 (2) The pool shall be equipped with an approved safety pool  
13 cover.  
14 ~~(c)–~~  
15 (3) The residence shall be equipped with exit alarms on those  
16 doors providing direct access to the pool.  
17 ~~(d)–~~  
18 (4) All doors providing direct access from the home to the  
19 swimming pool shall be equipped with a self-closing, self-latching  
20 device with a release mechanism placed no lower than 54 inches  
21 above the floor.  
22 ~~(e)–~~  
23 (5) Other means of protection, if the degree of protection  
24 afforded is equal to or greater than that afforded by any of the  
25 devices set forth in ~~subdivisions (a) to (d)~~ paragraphs (1) to (4),  
26 inclusive, as determined by the building official of the jurisdiction  
27 issuing the applicable building permit. Any ordinance governing  
28 child access to pools adopted by a political subdivision on or  
29 before January 1, 1997, is presumed to afford protection that is  
30 equal to or greater than that afforded by any of the devices set forth  
31 in ~~subdivisions (a) to (d)~~ paragraphs (1) to (4), inclusive.  
32 (b) Commencing July 1, 2004, any swimming pool  
33 manufactured or sold in this state for installation at, or for which

1 *a construction permit is issued for construction at, a private,*  
2 *single-family home shall be equipped with an approved vibration*  
3 *or motion sensing alarm system that is activated whenever a body*  
4 *of a specified mass and weight falls into the pool.*

5 SEC. 2. No reimbursement is required by this act pursuant to  
6 Section 6 of Article XIII B of the California Constitution because  
7 a local agency or school district has the authority to levy service  
8 charges, fees, or assessments sufficient to pay for the program or  
9 level of service mandated by this act, within the meaning of  
10 Section 17556 of the Government Code.

